

1
2
3
4
5
6
7
8
9

IN THE UNITED STATES DISTRICT COURT

11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 KEVIN HEDEMARK, No. C 10-1477 WHA (PR)

14 Petitioner,

No. C 10-1477 WHA (PR)

15 || vs.

16 SWARTHOUT, Warden,

17 Respondent.

19 This is a habeas case brought pro se by a state prisoner to challenge denial of parole.
20 Petitioner was convicted in Contra Costa County Superior Court, which is in this district, and he
21 is incarcerated at California State Prison, Solano, in Vacaville, California, which is in the
22 Eastern District of California

Because petitioner's claim is about the denial of parole, it is a challenge to the execution of his sentence, rather than the validity of it. Venue for habeas cases involving state prisoners is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989).

28 //

1 Pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of
2 justice, this petition is **TRANSFERRED** to the United States District Court for the Eastern
3 District of California.

4 **IT IS SO ORDERED.**

5
6 Dated: April 29, 2010.

7 
8 WILLIAM ALSUP
9 UNITED STATES DISTRICT JUDGE